

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERIC J. LYONS,)	
)	
v.)	C.A. No. 03-75 Erie
)	District Judge McLaughlin
LT. JOSEPH EMERICK, et al.,)	Magistrate Judge Baxter
Defendants.)	

ORDER

AND NOW, this 8th day of July, 2005;

IT IS HEREBY ORDERED that Plaintiff's motions for extension of time [Documents # 120 and # 123] are granted. Plaintiff may file an Opposition Brief in response to the pending dispositive motions before August 1, 2005. No further extensions of time will be granted.

IT IS FURTHER ORDERED that to the extent that Plaintiff requests that this Court strike the statute of limitations argument made by Defendants in their dispositive motions, such request is denied. District Judge McLaughlin specifically stated that the statute of limitations issue could be revisited following discovery.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
Chief United States Magistrate Judge